

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JEREMY C. NIEHART,

Plaintiff,

-VS-

Commissioner of Social Security,

Defendant.

[illegible]

Case No.1:12CV1252

ORDER

JUDGE CHRISTOPHER A. BOYKO

On May 17, 2012, Plaintiff filed a complaint pursuant to Title 42 U.S.C. Section 405(g) (Dkt.#1). This matter was referred to Magistrate Judge George J. Limbert pursuant to Local Rule 72.2. On March 22, 2013, the Magistrate Judge recommended that the administrative decision be reversed and remanded for reevaluation and further analysis and application in accordance with the treating physician's rule (Dkt. #15). On April 11, 2013, the Defendant filed a Response to Magistrate Judge's Report and Recommended Decision stating they will not be filing an objection. Plaintiff has not filed a response.

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service, but Plaintiff has failed to timely file any such objections. Therefore, the Court must assume that Plaintiff is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and an inefficient use of the

Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, Magistrate Judge Limbert's Report and Recommendation is **ADOPTED** and the ALJ's decision is reversed and remanded for reevaluation and further analysis.

IT IS SO ORDERED.

Dated:4/12/2013

S/Christopher A. Boyko

CHRISTOPHER A. BOYKO

UNITED STATES DISTRICT JUDGE